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*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

## United States of America

Plaintiff,

vs.

Jeffrey Mindock,

Defendant.

No. CR- 23-01584-PHX-SPL

## **MOTION TO DISMISS INDICTMENT**

### [Unopposed]

The United States of America, by and  
moves the court for an order pursuant to Fed. R. Crim. P. 35  
in this matter (ECF # 16) without prejudice.

Defendant Jeffrey Mindock (“Defendant”) was indicted on November 14 2023, for making an interstate threatening communications to VICTIM-1 and VICTIM-2, two counts, in violation of 18 U.S.C. § 875(c).

Defendant was arrested on November 4, 2023, made his initial appearance in federal court on November 6, 2023, and has been detained in this matter since that time.

On February 2, 2025, the parties appeared before the Court for a status and trial setting conference in this matter and a firm trial date was set to begin on August 19, 2025.

Prior to and since the date of the status conference, the government has been conducting further investigation in this case, in part in response to certain facts and evidence provided by defense counsel. As a result of these efforts, the government believes

1 that certain significant pieces of evidence have been weakened or undercut, including  
2 potential testimony of someone the government intended to rely upon as a necessary trial  
3 witness, to the point where it believes a dismissal is now in the interests of justice.

4 As such, the United States now moves in the interests of justice to dismiss the  
5 indictment without prejudice. The above-mentioned victims in this case have been  
6 notified, and dismissal request discussed with them.

7 WHEREFORE, based on the foregoing, the United States seeks leave of this Court  
8 under Fed. R. Crim. P. 48(a) and respectfully requests that the Indictment be dismissed  
9 without prejudice and Defendant be released from federal custody. Counsel for Defendant  
10 has been consulted and does not oppose this request.

11 It is not expected that excludable delay under 18 U.S.C. § 3161 will occur as a result  
12 of this motion or an order based thereon.

13 Respectfully submitted this March 19, 2025.

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TIMOTHY COURCHAINE  
United States Attorney  
District of Arizona

*s/Sean Lokey*  
SEAN K. LOKEY  
Assistant U.S. Attorney

## CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2025, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing a copy to the following CM/ECF registrant:

AFPD, Mark Rumold

s/Zufan Yegezu  
U.S. Attorney's Office

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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,  
9

10 Plaintiff,

11 vs.

12 Jeffrey Mindock,

13 Defendant.

No. CR- 23-01584-PHX-SPL

14 **O R D E R**

15 Pursuant to the Government's Motion to Dismiss Indictment and good cause  
16 appearing,

17 **IT IS HEREBY ORDERED** dismissing the Indictment against Defendant Jeffrey  
18 Mindock, without prejudice.

19 DATED this \_\_\_\_\_ day of March 2025.